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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,547	09/27/2000	Seshadri Sathyanarayan	042390.P9328	8296

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EXAMINER

NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 06/18/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/671,547

Applicant(s)

SATHYANARAYAN, SESHADRI

Examiner

Merilyn P Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 27 September 2000 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

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DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/30/2003 has been entered.

2. In response to the communication dated 05/05/2003, claims 26-72 are active in this application as a result of the cancellation of claims 1-7, 9-18 and 20-25.

Acknowledges

3. Receipt is acknowledged of the following items from the Applicant:
- The request for continued examination has been acknowledged and made of record as Paper No. 8.
 - The preliminary amendment has been acknowledged and made of record as Paper No. 9 and has been considered.

Specification

4. The disclosure is objected to because of the following informalities:
- At page 3, "summary of the invention" is missing.

Appropriate correction is required.

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Claim Objections

5. Claim 51 is objected to because of the following informalities: missing a --- at line 10.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 26-55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 26-30 32, 33, 35-40, and 42-55, the term “user intent” renders the claims indefinite. The term “user intent” is not defined by the claim or by the specification. Also, “user intent” does not provide a standard for ascertaining the requisite degree since the language is fuzzy.

Regarding claims 26, 31, 37, 43, and 51, there is insufficient antecedent basis for “computer usage” in the claim.

Regarding claim 32, there is insufficient antecedent basis for “a shift”.

Claims 27-36, 38-42, 44-50, and 52-55 depend from rejected base claims and include all the limitations, thereby inheriting their defects.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraph of 35 U.S.C. § 102 in view of the AIPA and H.R. 2215 that forms the basis for the rejections under this section made in the attached Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

7. Claims 26-28, 30-35, 37-38, 40-45, 47, 49, 51-52, and 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Haitsuka (US 6,505,201).

Regarding claims 26 and 37, Haitsuka discloses a method and a machine-readable medium having stored thereon data representing instructions which, when executed by a machine, cause the machine to perform operations comprising:

- ❖ monitoring computer usage of a computer user during a usage session (See Fig. 3, and col. 3, lines 14-15, and col. 6, lines 21-25);
- ❖ recording information (See col. 6, lines 21-23) including hypertext links selected by the user during the monitored session (See col. 8, lines 22-36);

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- ❖ analyzing the recorded hypertext links to determine a user intent for the session (See col. 9, lines 38-47, and col. 6, lines 56-63); and
- ❖ generating a search engine query based on the determined intent (See col. 9, lines 47-60).

Regarding claims 27 and 38, Haitsuka discloses analyzing comprises parsing hypertext links selected by the user into words (535, Fig. 5, and col. 9, lines 38-42) and determining the user intent based on the parsed words (46-47).

Regarding claim 28, Haitsuka discloses determining the user's intent based on the content of the hypertext links using heuristics (See col. 6, line 28 to col. 7, line 18).

Regarding claims 30 and 40, Haitsuka discloses displaying a set of words indicative of the determined user intent (See col. 7, lines 41-54) and a button for the user to click on to indicate a desire to receive information regarding the displayed set of words (See col. 7, lines 47-50).

Regarding claim 31, Haitsuka discloses displaying an icon for the user to click on to start the usage session (See col. 5, lines 53-56).

Regarding claim 32, Haitsuka discloses determining a shift in the user intent by comparing recorded information to stored category profiles (See col. 6, lines 56-63).

Regarding claim 33, Haitsuka discloses monitoring further comprises at least one of:

- ❖ monitoring time spent at a network site;
- ❖ monitoring network pages bookmarked by the user (See col. 8, lines 22-30);
- ❖ monitoring frequency that particular network pages are visited (See col. 6, lines 28-37); and
- ❖ monitoring the content of visited network pages (See col. 8, lines 22-30), and
- ❖ wherein analyzing comprises analyzing the recorded information and the hypertext links to determine a user intent for the session (See col. 9, lines 38-47, and col. 6, lines 56-63).

Regarding claims 34 and 41, Haitsuka discloses generating the query is in response to a user action and is based on the content of an item or a document currently being displayed (See col. 6, lines 21-26).

Regarding claims 35 and 42, Haitsuka discloses generating a search engine query comprises constructing queries to perform searches using search engines on a plurality of web sites based on the user's intent (See col. 9, lines 52-60) and transmitting the queries to the plurality of web sites (630, Fig. 6).

Regarding claim 43, Haitsuka discloses a profile agent for a computer system comprising:

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- ❖ an activity monitor (110, Fig. 3) to monitor computer usage of a computer user during a usage session (See Fig. 3, and col. 3, lines 14-15, and col. 6, lines 21-25), to record information (See col. 6, lines 21-23) including hypertext links selected by the user during the monitored session (See col. 8, lines 22-36), and to analyze the recorded hypertext links to determine a user intent for the session (See col. 9, lines 38-47, and col. 6, lines 56-63); and
- ❖ a query engine (See Fig. 6) to generate a search engine query based on the determined intent (See col. 9, lines 47-60).

Regarding claim 51, Haituka discloses a computer system comprising:

- ❖ a processor (130, Fig. 3);
- ❖ a network connection (120, Fig. 3);
- ❖ an activity monitor (110, Fig. 3) to monitor computer usage of a computer user during a usage session (See Fig. 3, and col. 3, lines 14-15, and col. 6, lines 21-25), to record information (See col. 6, lines 21-23) including hypertext links selected by the user during the monitored session (See col. 8, lines 22-36), and to analyze the recorded hypertext links to determine a user intent for the session (See col. 9, lines 38-47, and col. 6, lines 56-63); and
- ❖ a query engine (See Fig. 6) to generate search engine queries to perform searches using search engines on a plurality of Internet web sites based on the user's intent (See col. 9, lines 47-60), and to transmit the queries to the plurality of web sites (630, Fig. 6).

Regarding claims 44 and 52, Haitsuka discloses the activity monitor parses hypertext links selected by the user into words (535, Fig. 5, and col. 9, lines 38-42) and determines the user intent based on the parsed words (46-47).

Regarding claim 45, Haitsuka discloses the activity monitor determines the user's intent based on the content of the hypertext links using heuristics (See col. 6, line 28 to col. 7, line 18).

Regarding claim 47, Haitsuka discloses the activity monitor comprises stored category profiles and determines a shift in the user intent by comparing recorded information to stored category profiles (See col. 6, lines 56-63).

Regarding claim 49, Haitsuka discloses the query engine constructs queries to perform searches using search engines on a plurality of web sites based on the user's intent (See col. 9, lines 52-60), and transmits the queries to the plurality of web sites (630, Fig. 6).

Regarding claim 54, Haitsuka discloses the activity monitor records at least one of time spent at a network site, network pages bookmarked by the user (See col. 8, lines 22-30), frequency that particular network pages are visited (See col. 6, lines 28-37), and the content of visited network pages (See col. 8, lines 22-30), and the activity monitor analyzes the recorded information and the hypertext links to determine a user intent for the session (See col. 9, lines 38-47, and col. 6, lines 56-63).

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8. Claims 56-72 are rejected under 35 U.S.C. 102(e) as being anticipated by Kravets (US 6,363,377).

Regarding claims 56 and 63, Kravets discloses a method and a machine-readable medium having stored thereon data representing instructions which, when executed by a machine, cause the machine to perform operations comprising:

- ❖ transmitting a search query to a site over a network (See col. 4, lines 23-30);
- ❖ receiving a search result document from the site, the search result document comprising a plurality of search result entries (28, Fig. 1A, and col. 4, lines 17-22, Kravets et al.);
- ❖ accessing pages associated with at least some of the search result entries (See col. 6, line 46 to col. 7, line 14);
- ❖ filtering the search result entries (See col. 7, lines 66- 67) by comparing information from the accessed pages to the query (See col. 7, lines 38-43); and
- ❖ selecting a subset of the search result entries based on the comparison (See col. 8, lines 9-16).

Regarding claim 67, Kravets discloses an apparatus comprising:

- ❖ a query engine (See Fig. 3) to transmit a search query to a site over a network (See col. 4, lines 23-30); and
- ❖ a results filter (See Fig. 2B) to receive a search result document from the site, the search result document comprising a plurality of search result entries, the results

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filter further to access pages associated with at least some of the search result entries, to filter the search result entries by comparing information from the accessed pages to the query, and to select a subset of the search result entries based on the comparison as addressed above in claim 56.

Regarding claim 70, Kravets discloses a computer system comprising:

- ❖ a processor (See Fig. 2B, and corresponding text);
- ❖ a network connection (See Fig. 1B);
- ❖ a query engine to transmit using the network connection search queries to search engines at Internet sites as addressed above in claim 67; and
- ❖ a results filter to receive search result documents over the network connection from the search engines, the search result documents comprising a plurality of search result entries, the results filter further to access pages associated with at least some of the search result entries, to filter the search result entries by comparing information from the accessed pages to the query, and to select a subset of the search result entries based on the comparison as addressed above in claim 67.

Regarding claims 57, 64, 68, and 71, Kravets discloses at least some of the search result entries comprise a hypertext link to pages associated with the respective search result entry (See col. 8, lines 9-16), the method further comprising parsing hypertext links into constituent

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elements (See col. 5, lines 55-64), and comparing the hypertext link constituent elements to elements of the search query (See col. 6, lines 46-63).

Regarding claims 58 and 65, Kravets discloses selecting a subset of the search result entries comprises selecting using the comparison of information from accessed pages and the comparison of hypertext link constituent elements (See col. 7, line 44 to col. 8, line 29).

Regarding claims 59, 66, 69, and 72, Kravets discloses at least some of the search result entries include a description of an associated document (See col. 8, lines 18-21), the method further comprising parsing at least a portion of the descriptions into constituent elements (See col. 5, lines 55-64)¹, and comparing the description constituent elements to elements of the search query (See col. 8, lines 21-25) and wherein selecting a subset comprises selecting a subset using the description constituent elements comparison (See col. 8, lines 27-29).

Regarding claim 60, Kravets discloses generating a summary document comprised of the selected subset of the search result entries, and displaying the summary document (See col. 8, lines 27-29).

Regarding claim 61, Kravets discloses the network comprises the Internet (See col. 4, line 32), and the site comprises a search engine at a remote World Wide Web site (See col. 4, line 32).

Regarding claim 62, Kravets discloses the network comprises the Internet (See col. 4, line 32), the method further comprising transmitting the search query to a plurality of search engines at remote World Wide Web sites (See col. 4, lines 23-30) and receiving a plurality of search result documents from the search engines, each search result document comprising a plurality of search result entries (28, Fig. 1A, and col. 4, lines 17-22, Kravets et al.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 29, 39, 46, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haitsuka (US 6,505,201), in view of Ryan (US 6,421,675).

Regarding claims 29, 39, 46, and 53, Haitsuka discloses all the claimed subject matter as set forth above in claim 26; however, Haitsuka is silent as to analyzing comprises applying the hypertext links to keyword tables to identify words that may be indicative of user intent. On the other hand, Ryan discloses analyzing comprises applying the hypertext links to keyword tables to identify words that may be indicative of the user intent (See col. 12, lines 16-60, Ryan et al.). Because Haitsuka system uses information on hypertext links to determine user

¹ Please note that hypertext link itself broadly describe the associated document, therefore parsing the hypertext

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interest, it would have been obvious to one having ordinary skill in the art at the time the invention was made to applying the hypertext links to keywords tables to identify words that may be indicative of the user intent as suggested by Ryan, since applying the hypertext links to keywords tables clarifies user interest by showing links between information supplies and information request (See col. 12, lines 20-22, Ryan et al.).

10. Claims 36, 48, 50, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haitsuka (US 6,505,201), in view of Kravets (US 6,363,377).

Regarding claims 36, 48, 50, and 55, Haitsuka discloses all the claimed subject matter as set forth above in claim 35, however, Haitsuka is silent as to receiving search result documents from the web sites, the search result documents comprising a plurality of search result entries, filtering the search result entries based on the determined intent, and selecting a subset of the search result entries based on the filtering. On the other hand, Kravets discloses receiving search result documents from the web sites, the search result documents comprising a plurality of search result entries (28, Fig. 1A, and col. 4, lines 17-22, Kravets et al.), filtering the search result entries based on the determined intent (See col. 8, lines 9-16, Kravets et al.), and selecting a subset of the search result entries based on the filtering (See col. 8, lines 15-16, Kravets et al.). Because Haitsuka system generate a search engine query, it would have been obvious to one having ordinary skill in the art at the time the invention was made to receiving, filtering, and selecting a subset of the search results as suggested by Kravet, in term of relevant search results.

links also the same as parsing descriptions.

Conclusion

Applicant's arguments with respect to claims 26-72 have been considered but are moot in view of the new ground(s) of rejection.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shoham U.S Patent No. 5,855,015 discloses system and method for retrieval of hyperlinked information resources.

Maddalozzo U.S Patent No. 6,460,060 discloses a method and system for searching web browser history.

Drucker U.S Patent No. 6,292,796 discloses method and apparatus for improving access to literature.

Herz U.S Patent No. 6,029,195 discloses system for customized electronic identification of desirable objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 703-305-5177.

The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN

MN

June 13, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100